

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

THE TRUSTEES OF PURDUE  
UNIVERSITY,

Plaintiff,

v.

STMICROELECTRONICS N.V.,  
STMICROELECTRONICS  
INTERNATIONAL N.V., and  
STMICROELECTRONICS, INC,

Defendants.

CIVIL ACTION NO. 6:21-CV-00727-ADA

JURY TRIAL DEMANDED

**JOINT CLAIM CONSTRUCTION STATEMENT**

Pursuant to the Scheduling Order (Dkt. 45), Plaintiff The Trustees of Purdue University (“Purdue”) and Defendant STMicroelectronics, Inc.<sup>1</sup> submit this Joint Claim Construction Statement.

**I. DISPUTED CLAIM TERMS FROM U.S. PATENT NO. 8,035,112**

<b>Claim Term<sup>2</sup></b>	<b>Claim(s)</b>	<b>Plaintiff’s Construction</b>	<b>Defendant’s Construction</b>
“a second, thicker oxide layer”	1	“layer of oxide that is on the tops and sides of each gate and that is thicker than the layer of oxide below each gate”	“an oxidation layer formed, created, or grown by reacting the gate, thicker than the first oxide layer”

<sup>1</sup> Purdue also names as defendants STMicroelectronics N.V. (“STNV”) and STMicroelectronics International N.V. (“ST Int’l”). STNV is not subject to the Court’s jurisdiction, as detailed in its Motion to Dismiss [ECF 38], and ST Int’l has not yet been served in this case and therefore is not properly before the Court or subject to the Court’s jurisdiction.

Purdue states that STNV was specifically named in claim construction exchanges except in the briefing. *See* Dkts. 70-6 & 70-7. ST states that each of Dkts. 70-6 & 70-7 explained that “STNV is not subject to the Court’s jurisdiction, as detailed in its Motion to Dismiss [ECF 38].”

<sup>2</sup> For the disputed terms of this patent, Purdue proposes construing the longer phrases for clarity and context, i.e., “a second, thicker oxide layer over said top surface and sidewall of each of said first gate”/ “a gate oxide layer thicker than said substrate surface oxidation layer, over said tops and sides of each of said gates”.

<b>Claim Term<sup>2</sup></b>	<b>Claim(s)</b>	<b>Plaintiff's Construction</b>	<b>Defendant's Construction</b>
"a gate oxide layer"	6	"layer of oxide that is on the tops and sides of each gate and that is thicker than the layer of oxide below each gate"	"an oxidation layer formed, created or grown by reacting the gate"

## II. DISPUTED CLAIM TERMS FROM U.S. PATENT NO. 7,498,633

<b>Claim Term</b>	<b>Claim(s)</b>	<b>Plaintiff's Construction</b>	<b>Defendants' Construction</b>
"double-implanted metal-oxide semiconductor field-effect transistor"	9	The preamble is not limiting.  In the alternative only, "double-implanted" is not limiting. <sup>3</sup>	The preamble <b>is</b> limiting.
"less than about three micrometers"	9	Plain and ordinary meaning, no construction necessary.	Indefinite

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<sup>3</sup> ST notes that Purdue previously offered that "[i]n the alternative only, 'metal-oxide semiconductor field-effect transistor is limiting.'"

Dated: April 14, 2022

By: /s/ Mark D. Siegmund

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Respectfully submitted,

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**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on April 14, 2022, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Mark D. Siegmund

Mark D. Siegmund